



# CITY OF SANTA BARBARA

## ORDINANCE COMMITTEE AGENDA REPORT

**AGENDA DATE:** November 11, 2008

**TO:** City Council Ordinance Committee

**FROM:** Public Works Department  
Police Department

**SUBJECT:** Regulation Of Parking Of Recreational Vehicles Ordinance

### RECOMMENDATION:

That the Ordinance Committee review and comment on a draft ordinance to amend Title 10 of the Santa Barbara Municipal Code regulating the parking of recreational vehicles, and forward it to City Council with a recommendation for introduction and adoption.

### DISCUSSION:

The number of individuals living in recreational vehicles (which, under the state Vehicle Code includes campers, buses, trailers, semi-trailers, and mobile homes) on City streets appears to be increasing and this continues to present various public nuisances and safety challenges to the City. The significant public nuisance problems are primarily related to the fact that RVs are not an appropriate safe or healthy permanent form of housing, primarily due to the lack of proper sanitation and the lack of proper fire safety protection. In addition, illegal dumping and littering adjacent to these inhabited vehicles and excessive noise is very common. These problems are further exacerbated because the illegal RV habitation seems to concentrate in certain neighborhoods and on certain streets adjacent to City parks.

Since recreational vehicles are not designed or equipped for permanent habitation, in recent months, the Police Department has also received numerous complaints from residents and business owners within certain impacted neighborhoods that many RV occupants are disposing of the waste from their holding tanks on City streets instead of disposing of it properly. Abandoned property left by RV occupants on City streets, sidewalks, and right-of-ways (hereinafter collectively referred to as the "right-of-way") are also complaints regularly received by the City Public Works Department and the Police.

City streets are also adversely impacted by the placement by the RV owners of personal belongings outside of the RV including such things as extension cords, generators, barbeques, bikes, chairs, tables, and various other personal items which

should not be occupying the public rights of way. These personal belongings often block pedestrian access and are unsightly and are often abandoned. Along with these items, many RV occupants own dogs which they sometimes allow to roam unleashed near their vehicles. Further, the Police Department has observed that RV occupants often gather together within the right-of-way and create an area in which many RVs and their occupants essentially dominate two or three blocks. Alone or collectively, there have also been other more serious public safety issues associated with RV such as drug dealing, assaults, and prostitution. In sum, these concentrations of semi-permanent RVs (aside from being an unsafe form of housing) create an environment of fear and anxiety for the public and a public nuisance in general and in the impacted neighborhoods in particular.

The Police Department researched and has analyzed crime statistics for the area of downtown north and south of U.S. Highway 101 which indicates an increase in certain offenses north of the freeway since the implementation of the overnight RV parking restrictions in the waterfront area in February 2007. At the same time, there has been a decrease in these same types of offenses south of the freeway where overnight RV parking is now restricted.

<b>North of FWY</b>	
<b>% Change of Offenses 16 Mos. Prior To &amp; After 02/06/07</b>	
AGG ASSAULT-MISD	29%
ALCOHOL-DRUNK IN PUBLIC	19%
BATTERY	23%
BIKES ON SIDEWALKS	183%
BURGLARY-RESIDENCE	80%
GRAND THEFT-BIKE	500%
GRAND THEFT-FROM VEHICLE	50%
MARIJUANA POSS UNDER OUNCE	25%
OPEN CONTAINER	54%
PETTY THEFT-BIKE	150%
PETTY THEFT-FROM BUILDING	25%
PETTY THEFT-FROM VEHICLE	-56%
PETTY THEFT-OTHER	42%
SOBER STATION-ADMISSION	86%
VANDALISM	-15%

<b>South of FWY</b>	
<b>% Change of Offenses 16 Mos Prior To &amp; After 02/06/07</b>	
ALCOHOL-DRUNK IN PUBLIC	-50%
BURGLARY-VEHICLE	-100%
FOUND PROPERTY	-57%
MARIJUANA POSS UNDER OUNCE	-67%
OPEN CONTAINER	-32%
VANDALISM	-56%

Based on the foregoing, City Public Works Transportation staff has been working with the Police Department and the City Attorney's office on strategies to address these issues. Recently, the City installed "no RV parking" signs near Alameda and Ortega Park, and Alice Keck Park Memorial Garden directed at the long-term parking of recreational vehicles due to the traffic hazards caused by parked recreational vehicles and pedestrians (typically children) either exiting or entering the parks between vehicles. While these signs have been effective in these areas, they have only been used near these City parks, not in other areas in the City. At present, such signs are authorized by Title 10 of the Municipal Code because their use adjacent to parks (especially those block faces adjacent to park play grounds) can be justified on a traffic safety basis.

As a result of our concerns for the adverse health and safety impacts of having concentrations of semi-permanent RV parking, Public Works staff and the Police Department are now proposing an ordinance which provides the Public Works Director, upon consultation with the Chief of Police, with the authority to designate those streets (or portions thereof) as no parking for recreational vehicles where it is necessary to decrease parking by excessive numbers of such vehicles. The restriction would be enforced through the issuance of parking citations and would only be effective when the street (or portion of a street or block face) is fully and properly signed. California Vehicle Code Section 22507 provides the City with the authority to restrict on-street parking for certain vehicles and under certain conditions such as this. Section 22507 also requires that such parking restrictions may not be enforced until signs giving "adequate notice" have been installed.

**ATTACHMENT:** Draft Ordinance

**SUBMITTED BY:** Public Works Transportation Staff  
Police Department  
City Attorney's Office

**APPROVED BY:** City Administrator's Office

ORDINANCE COMMITTEE DRAFT - 11/11/08  
ALL NEW LANGUAGE

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF  
SANTA BARBARA ADDING SECTION 10.44.205 TO  
CHAPTER 10.44 OF SANTA BARBARA MUNICIPAL  
CODE TITLE 10 PERTAINING TO PARKING OF  
RECREATIONAL VEHICLES WITHIN THE CITY AND  
PARKING RESTRICTIONS NECESSARY TO PROTECT  
THE PUBLIC HEALTH AND SAFETY

THE CITY COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS  
FOLLOWS:

SECTION ONE. Section 10.44.205 is added to Chapter 10.44 of  
Title 10 of the Santa Barbara Municipal Code to read as follows:

**10.44.205 Public Works Director Authority to Regulate Parking of  
Recreational Vehicles.**

A. **RECREATIONAL VEHICLES.** For the purposes of this  
section, the term "Recreational Vehicle" shall be as defined in  
Section 18010 of the state Health and Safety Code, as it is  
presently enacted or hereafter amended.

B. **AUTHORITY OF PUBLIC WORKS DIRECTOR - PARKING OF  
RECREATIONAL VEHICLES.** In accordance with the authority  
provided by state Vehicle Code Section 22507, the Public Works  
Director, upon the advice of the Chief of Police, may designate  
those streets or portions of streets (including specific block  
faces) within the City where it is necessary or advisable to  
prohibit or restrict the stopping, standing, or parking of  
Recreational Vehicles in order to decrease parking by an  
excessive number of such vehicles and to provide for the public  
health and safety.

C. **NOTICE OF RESTRICTIONS.** When signed or marked in  
accordance with state Vehicle Code requirements, no person shall  
stop, stand, or park a Recreational Vehicle in any street,  
portion of street or block face so designated.